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OPINION

'The CIA is not the Boy Scouts'

By Jim Motavalli

Westport, Conn., publisher Lawrence Hill initiated an agreement with former CIA "super agent" David Atlee Phillips on Feb. 14. That signature—and a \$1 cash award—ended a five-year libel battle in which Phillips had asked for \$210 million in damages stemming from charges made in the book *Death in Washington*.

Written by Donald Freed and Fred Simon Landis, the book charged Phillips with involvement in the murder of former Chilean Ambassador to Washington Orlando Letelier. It also linked him with the death of the Dominican Republic dictator Rafael Trujillo Molina, with attempts on the life of Fidel Castro and with efforts to destabilize the Nasser regime in Egypt. In addition, the book repeated previously published assertions of Phillips' involvement in the Kennedy assassination (as Lee Harvey Oswald's CIA case officer).

Phillips did not take all this lightly. After his retirement from the agency he formed the Association of Former Intelligence Officers (AFIO) and an adjunct, Challenge Inc., a legal assistance fund. Challenge provided some of the funds for Phillips' suit, filed in 1981.

"It was a standoff," said publisher Hill. "The authors admitted they could not substantiate all the charges and regret publishing the information. But they're not admitting that they attempted to malign Phillips, and it in no way eviscerates the main thrust of the book, which is U.S. complicity in the murder of Orlando Letelier."

"If [Phillips] thought he could have won, he would have pursued the case. Obviously, he thought he couldn't win," Hill said, adding that the case reached a turning point when a federal judge ruled that Phillips *had* played a role in CIA activities in Chile and would have to answer questions about them. Phillips has declined to answer such questions on the grounds of CIA secrecy requirements. These requirements are

cited in the retraction statement as making it "difficult for Messrs. Freed and Landis to secure necessary evidence for their defense."

The *Advocate* interviewed Phillips by telephone from his Bethesda, Md., home.

Advocate: What do you consider the meaning of this settlement with Larry Hill? Why did you embark upon this litigation?

Phillips: Well, I did it for two reasons. The first was to vindicate myself personally from charges that I was involved in assassination. On the second level I did it with the idea of finding out if a retired intelligence officer could prevail in a court given the problems intelligence officers have. Active duty intelligence officers, for instance, have never been able to bring a suit for defamation because they couldn't answer the relevant questions during the discovery....

Now, the fact that quite a bit of your career is protected by the secrecy of the CIA, doesn't that make it pretty hard to defend against the suit you brought?

Why? Because the complaint didn't mention a single thing that was said about me in the book during the period of my CIA career. There were dozens of fabrications in that book. A good example was the charge that when I was in Mexico City I was in charge of the assassination squad run by Howard Hunt and I dispatched Howard and assassins to the Dominican Republic to assassinate Trujillo. So none of these things were in the complaint. The complaint was very carefully tailored and I only complained about false statements that were made about me after I retired from the CIA.

But isn't part of the suit that you were involved in the Kennedy assassination?

That wasn't part of the suit. It was during the settlement, part of the negotiation was that since they were making a complete retraction, please go ahead and

retract what they said about the Kennedy business. There is a photograph of me in the book with the caption "The other Lee Harvey Oswald." They invited the reader to believe that I was [Oswald's] CIA case officer.

Did you know Lee Harvey Oswald?

I did not.

Do you think the mood in the country toward the CIA has changed since the Watergate era, the revelations of that period?

I think it's changed dramatically. I take the temperature at such places as college campuses and town halls around the country, that sort of thing. I'm frequently on lecture tour.

Do you get protested by leftists when you speak?

From 1975 to 1977 there many such protests, and some of them I considered more dangerous than anything that ever occurred to me during my CIA career. They were really what we in the CIA would call "hairy." That suddenly began to change and I find that that kind of situation does not exist now. There are still questions of concern, serious debate and dialogue, but the feeling of hostility has changed completely. There now seems to be little doubt that there should be the kind of intelligence operations that we had in the mid-1970's. The debate these days is about whether there should or should not be "covert action," and that's a debate that ensues within the intelligence community as well as in the public.

Would you say it's an incorrect perception that the CIA does engage in political murder?

Yes, I would say that. There have been two [murder] attempts in the history of the CIA; one was Lumumba in Africa and the other was Castro in Cuba. But to say that one should properly perceive the CIA operating that way I would doubt. But that is not the reason I filed the suit and that's not why I was concerned about setting the record straight about my own self. I am convinced that

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what happened is that this book and the press conference that proceeded it were like several other books that were written charging me with involvement one way or another. They were written by anti-establishment, anti-CIA conspiracy buffs. That's why they are written. Whether they do that because they honestly feel that way or whether they want to make some money or both, I don't know. But they are a pretty sad bunch.

This book and this press conference we're talking about paint a picture of you as a freelance hit man going around the world committing political murders and such. What would you say were the political contours of your CIA career? What kind of things do you do?

The kind of things I did I wrote about in some detail in a book called *The Night Watch* 10 years ago, and it's still in print. It describes my 25 years in seven different countries in which I practiced all sorts of intelligence operations, becoming quite senior before I retired. I was a specialist for some of that period in covert action, and that book is the reason I think people saw me as a convenient target if they wanted to paint a picture of someone. But to answer your question directly, I saw myself as a loyal American responding to the instructions of my presidents and my secretaries of state, and I am not the least bit ashamed of it. I'll be damned if I'm going to let people go around making wild assertions. I'm what is known as a public figure by any definition since I write and lecture and certainly thrust myself into the midst of a controversy when I left the CIA to form the Association of Former Intelligence Officers. And so in our country that makes it difficult, but despite that fact I feel I have the right to attempt to defend my reputation when people say that I am a murderer and sometimes worse.

You describe another pending suit involving Challenge. What is the status of the case involving Costa Gavras' film *Missing*?

It's going through the discovery process, and you know these things go on a long time—my case went on five years. It is in the middle ground, the deposition

period.

In this case I assume that there are considerable assets that could be attached?

Oh, there certainly are. But I'm engaged in another suit in England. The story about me being the mysterious "Maurice Bishop" and involved in the Kennedy assassination originated in England. It was first published in England in a book called *Conspiracy*, written by Anthony Summers. Mr. Summers is a man who just finished doing a book and a television documentary which reports that Robert Kennedy spent the night with Marilyn Monroe just before she was killed. That suit is now at the stage where we're waiting for the court in England to give us the dates.

In a case like that, definitely involving your CIA period, how can the defense lawyers learn much about what you were doing in the period in question?

There are no secrets about the CIA and the Kennedy assassination that have not been brought to light. There's no reason in the world that in that suit I couldn't subpoena CIA officials and get them under oath to say what they knew about the Kennedy assassination. So I have no problem saying where I was and what I was doing.

As a last question, do you think the average person believes the CIA is involved in political murder on a regular basis?

Oh, I think the average person probably does believe that. I wouldn't be surprised if the average person does have that incorrect perception. That's why I've been lecturing about the CIA for the last 10 years. But it's quite right to say the CIA is not the Boy Scouts. It's quite right that to say that if all men were angels, we wouldn't need a CIA. But unfortunately, most of the countries I've been in were run by non-angels.